

By: Kolkhorst

S.B. No. 1565

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the procedure for ordering medical or dental services
3 for certain persons admitted to or committed to care at certain
4 state facilities.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 551.041, Health and Safety Code, is
7 amended by amending Subsection (c) and adding Subsection (e) to
8 read as follows:

9 (c) If a department requests consent to perform medical or
10 dental treatment or services from a person or the guardian of the
11 person whose consent is considered necessary and a reply is not
12 obtained immediately, or if there is no guardian or responsible
13 relative of the person to whom a request can be made, the
14 superintendent or director of a department facility shall order:

15 (1) medical treatment or services for the person on
16 the advice and consent of three primary care providers, at least two
17 of whom are [physicians] licensed by the Texas Medical Board [~~at~~
18 ~~least one of whom is primarily engaged in the private practice of~~
19 ~~medicine~~]; or

20 (2) dental treatment or services for the person on the
21 advice and consent of two dentists [~~a dentist~~] licensed by the State
22 Board of Dental Examiners and of one physician [~~two physicians~~]
23 licensed by the Texas Medical Board [~~at least one of whom is~~
24 ~~primarily engaged in the private practice of medicine~~].

1 (e) For purposes of this section, "primary care provider"
2 means a health care professional who provides health care services
3 to a defined population of residents. The term includes a physician
4 licensed by the Texas Medical Board, an advanced practice
5 registered nurse licensed by the Texas Board of Nursing, and a
6 physician's assistant licensed by the Texas Medical Board.

7 SECTION 2. The changes in law made by this Act apply only to
8 a medical or dental procedure performed on or after the effective
9 date of this Act. A medical or dental procedure performed before the
10 effective date of this Act is governed by the law as it existed
11 immediately before the effective date of this Act, and that law is
12 continued in effect for that purpose.

13 SECTION 3. This Act takes effect September 1, 2017.